

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JANET HENDRIX,

Plaintiff(s),

v.

M/V ISSAQUAH,

Defendant(s).

NO. C06-1556P

ORDER ON MOTION TO DISMISS

The above-entitled Court, having received and reviewed:

1. Motion of Defendant Washington State Ferries to Dismiss Plaintiff's Complaint
2. Response of Plaintiff to Motion of Defendant Washington State Ferries to Dismiss Plaintiff's Complaint

and all exhibits and declarations attached thereto, makes the following ruling:

IT IS HEREBY ORDERED that the motion is GRANTED and Plaintiff's Complaint is hereby DISMISSED without prejudice.

Plaintiff does not contest that Defendant State of Washington, in the form of the Department of Transportation and Washington State Ferries, is immune from lawsuit in federal court under the Eleventh Amendment and has waived immunity from seaman lawsuits only if such actions are brought in Thurston County or the county in which the injury occurred. RCW 47.60.2106.

Plaintiff is free to re-file her action in the appropriate state court.

The clerk is directed to provide copies of this order to all counsel of record.

Dated: December \_\_12\_\_, 2006



Marsha J. Pechman  
U.S. District Judge